

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE**

MAGTEN ASSET MANAGEMENT  
CORPORATION,

Plaintiff,

V.

MICHAEL J. HANSON and ERNIE J. KINDT,

Defendants.

C.A. No. 05-499-JJF

**MOTION *IN LIMINE* OF DEFENDANTS  
MICHAEL J. HANSON AND ERNIE J. KINDT  
TO BIFURCATE LIABILITY AND DAMAGES PHASES OF TRIAL**

Defendants Michael J. Hanson (“Hanson”) and Ernie J. Kindt (“Kindt”), by and through their counsel of record, hereby respectfully request this Court to Bifurcate Liability and Damages Phases of Trial for the reasons more fully set forth in its Brief in Support of Motion in Limine to Bifurcate Liability and Damages Phases of Trial filed contemporaneously herewith and expressly incorporated herein by reference.

Dated: January 31, 2008

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